

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla,
Rio Brazos, Rutherford & Plaza Blanca,
Cañones Creek, Village of Chama

MOTION TO JOIN ADDITIONAL PARTIES DEFENDANT

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and respectfully requests the Court to join as additional parties the persons or entities named below and order them to answer the State’s Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons or entities listed below are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Stream System.

Anthony Rivas CHCV-002-0039A 217 So. Jefferson Ave., Sioux Falls, SD 57104-3216

Alex Rivas CHCV-002-0039B P.O. Box 426, Antonito CO 81120

Maximiliano Rivas CHCV-002-0039C P.O. Box 634, Chama NM 87520

Luis Lopez CHCV-002-0039D P.O. Box 182, Chama NM 87520

Presley D. Rivas CHCV-002-0039E P.O. Box 634, Chama NM 87520

Angelo E. Rivas	CHCV-002-0039F	P.O. Box 634, Chama NM 87520
Natasha Mattie Crusita Rivas	CHCV-002-0039G	P.O. Box 634, Chama NM 87520
Estate of Maximilo Valdez	CHCV-003-0026	PO Box 922, Peñasco NM 87553
Estate of Carlotta Valdez	CHCV-003-0026	PO Box 922, Peñasco NM 87553
Valley National Bank	CHCV-006-0002	P.O. Box 99, Española NM 87532
Jay Kegel	CHCV-007-0002B	HC 75 Box 84, Chama NM 87520
Katherine Kegel	CHCV-007-0002B	HC 75 Box 84, Chama NM 87520

These waters belong to the public and are subject to appropriation in accordance with laws of the State of New Mexico. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters of the Rio Chama Stream System.

2. The persons or entities listed above are in Section 7 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using or diverting surface or underground waters within Section 7 of the Rio Chama Stream System.

Dated: September 18, 2006

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
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Office of State Engineer
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Santa Fe, NM 87504-5102
(505) 867-7444 phone
(505) 867-2299 facsimile

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was transmitted by ACE filing to the following this 18 day of September 2006:

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Karla McCall, Data Manager
1315 Sagebrush Dr. SW
Los Lunas, NM 87031

/s/ Ed Newville
Edward G. Newville